

1 BRIAN M. McINTYRE, Cochise County Attorney
2 BY: TERISHA DRIGGS, Deputy County Attorney
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FILED
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CLERK
YMM

8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
9 IN AND FOR THE COUNTY OF COCHISE

10 STATE OF ARIZONA,

11 Plaintiff,

12 vs.

13 MARLENE ANDRADE,

14 Defendant.

CASE NO. CR201700924

MOTION TO DISMISS WITHOUT
PREJUDICE

Honorable Laura Cardinal

15 The State of Arizona, through the Cochise County Attorney, Brian M. McIntyre,
16 Cochise County Attorney, and Terisha Driggs, his Deputy, hereby moves to dismiss this
17 case without prejudice pursuant to Rule 16.4(A). Trial is scheduled to begin May 7,
18 2019. The State does not believe at this time there is a reasonable likelihood of
19 conviction due to the death of a material witness.

20 RESPECTFULLY submitted this 28th day of February, 2019.

COCHISE COUNTY ATTORNEY

21 BY:

22 Terisha Driggs
23 TERISHA DRIGGS
24 DEPUTY COUNTY ATTORNEY

25 Copies of the foregoing mailed/delivered
this _____ day of February, 2019, to:

The Honorable Laura Cardinal
Judge of the Superior Court
Division I
Bisbee, Arizona 85603
Via Clerk's Office Mail Distribution Box

Richard Swartz
Attorney for Defendant
Via courthouse distribution box